

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 16 OPTOMETRIC PRACTITIONERS
PART 3 REQUIREMENTS FOR LICENSURE BY EXAMINATION

16.16.3.1 ISSUING AGENCY: New Mexico Board of Optometry.
[10/14/1995; 2/15/1999; A, 6/26/2000; 16.16.3.1 NMAC - Rn, 16 NMAC 16.3.1, 3/15/2001; A, 7/6/2012]

16.16.3.2 SCOPE: The provisions in Part 3 of Chapter 16 apply to any applicant for optometric licensure in New Mexico who does not meet the requirements for expedited licensure.
[10/14/1995; 16.16.3.2 NMAC - Rn, 16 NMAC 16.3.2, 3/15/2001; A, 12/27/2022]

16.16.3.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Optometry Act, Sections 61-2-1 to -18 NMSA 1978.
[11/17/1973; 3/31/1991; 8/21/1992; 6/24/1994; 10/14/1995; 16.16.3.3 NMAC - Rn, 16 NMAC 16.3.3, 3/15/2001; A, 2/26/2022; A, 12/27/2022]

16.16.3.4 DURATION: Permanent.
[10/14/1995; 16.16.3.4 NMAC - Rn, 16 NMAC 16.3.4, 3/15/2001]

16.16.3.5 EFFECTIVE DATE: October 14, 1995, unless a later date is cited at the end of a section.
[11/17/1973...10/14/1995; 5/31/1996; 2/15/1999; 16.16.3.5 NMAC - Rn, 16 NMAC 16.3.5, 3/15/2001; A, 3/15/2004]

16.16.3.6 OBJECTIVE: The objective of Part 3 of Chapter 16 is to establish procedures and requirements for applicants seeking licensure by examination to qualify to sit for the Board's licensing examination.
[10/14/1995; 16.16.3.6 NMAC - Rn, 16 NMAC 16.3.6, 3/15/2001; A, 12/27/2022]

16.16.3.7 DEFINITIONS:

- A.** "NBEO" means the National Board of Examiners in Optometry.
 - B.** "NBEO Part I" refers to the NBEO Basic Science Exam.
 - C.** "NBEO Part II" refers to the NBEO Clinical Science Exam.
 - D.** "NBEO Part III" refers to the NBEO Patient Care Exam which consists of PMP's (Patient Management); VRICS (Visual Recognition and Interpretation of Clinical Signs); and Clinical Skills.
 - E.** "The TMOD" means the NBEO Treatment and Management of Ocular Disease Exam.
- [10/14/1995; 16.16.3.7 NMAC - Rn, 16 NMAC 16.3.7, 3/15/2001]

16.16.3.8 EXAMINATION REQUIREMENTS:

- A.** All applicants for licensure by examination are required to take the Board's licensing examination.
 - B.** All applicants for licensure by examination shall be required to pass Part I, Part II, Part III, and the TMOD of the NBEO national standards examination as a prerequisite to sitting for the Board's licensing examination.
- [10/14/1995, 5-31-96, 2/15/1999; 16.16.3.8 NMAC - Rn, 16 NMAC 16.3.8, 3/15/2001; A, 12/27/2022]

16.16.3.9 APPLICATION REQUIREMENTS: In accordance with Section 61-2-8 NMSA 1978, and those qualifications set forth therein, applicants for licensure by examination must submit to the board office, at least 65 days prior to the announced examination date, a letter of intent applying for the next regularly scheduled board examination accompanied by the required application processing fee. In addition to a completed, board-approved application form, the following documents must be received by the board office no later than 40 days prior to the requested examination.

- A.** Official pre-optometry transcript(s) sent directly to the board office by each college or university attended by the applicant.
- B.** A complete official optometry transcript showing the applicant's graduation sent directly to the board by a college of optometry as approved by the American optometric association's council of optometric education.

(1) An applicant expecting to graduate in the spring or summer prior to the board's examination who does not expect completed transcripts to be available before the documentation deadline, must

make arrangements for the school to send a letter directly to the board regarding the applicant's expected graduation.

(2) The letter must be postmarked before the forty-day documentation deadline.

(3) The completed, official transcript must be received by the board before the scheduled examination date or the application will be considered incomplete, and the applicant will be denied entrance into the examination.

C. Verification of another state license held by the applicant, if applicable.

D. An affidavit from the applicant that the applicant has not engaged in any optometry practice of an illegal or unethical nature as defined in the Optometry Act, Sections 61-2-1 to-18 NMSA 1978.

E. Copy of current certification attesting to completion of a CPR course offered by the American red cross, the American heart association, or the American safety and health institute (ASHI). The course cannot be self-study.

F. A verification from an accredited optometry school of successful completion of 100 or more post-graduate clock hours of ocular therapeutics pharmacology, as provided in Subsection A of 16.16.7.10 NMAC, and a minimum of 20 post-graduate clock hours in clinical pharmacology as provided in Subsection B of 16.16.7.11 NMAC.

G. Verification directly from the national board of examiners in optometry (NBEO) that the applicant has successfully passed part I, part II, part III, and the TMOD of the NBEO as provided in Subsection B of 16.16.3.8 NMAC.

(1) If NBEO examination results will not be released by the NBEO prior to the documentation deadline, the applicant must submit to the board a copy of the NBEO letter scheduling the applicant for the NBEO exam(s).

(2) Upon receipt of verification of successful completion of the required NBEO exam(s), and upon having met all other requirements stipulated in this regulation, the approved applicant will be scheduled for the next regularly scheduled board examination.

H. A list of the names of any New Mexico licensed optometrist(s) with whom the applicant is acquainted; with whom the applicant has a professional or personal affiliation; or that the applicant would feel uncomfortable being examined by, in the event that one of those optometrists is a board member or a clinical examiner for the board. Failure to provide this information prior to the examination deadline may disqualify the applicant from the exam.

I. Each approved exam applicant will be required to bring a copy of the board's examination policy and procedures document to the clinical exam and to sign it in the presence of the board's representative in attestation that the applicant has read the document; and a copy of the document will become a part of the candidate's examination records.

J. proof of any disqualifying criminal convictions as defined in 16.16.21.12 NMAC. [11/17/1973; 3/8/1986; 3/31/1991; 8/21/1992; 6/24/1994; 9/30/1995; 10/14/1995; 5/31/1996; 2/15/1999; 16.16.3.9 NMAC - Rn, 16 NMAC 16.3.9, 3/15/2001; A, 3/15/2004; A, 3/22/2008; A, 7/6/2012; A, 6/25/2015, A, 2/26/2022; A, 12/27/2022]

16.16.3.10 APPLICATION APPROVAL: Upon Board review and approval of the above listed documentation, each approved candidate will be scheduled by letter to sit for the board's examination.

A. Applicants will not be allowed entrance into the examination without this schedule notification letter.

B. At least one form of picture identification will be required for entrance into the examination.

C. Each applicant will be assigned an identification number that will be the sole means of applicant identification throughout the administration and scoring of the examination.

[10/14/1995; A, 2/15/1999; 16 NMAC 16.3.10 - Rn, 16 NMAC 16.3.10, 3/15/2001; A, 12/27/2022]

16.16.3.11 INELIGIBILITY FOR LICENSURE: Any applicant for licensure who desires to take the Board examination and who has had a license either suspended or revoked in any jurisdiction shall be ineligible to take the examination until that license is reinstated.

[11/17/1973; 10/14/1995; 16 NMAC 16.3.11 - Rn, 16 NMAC 16.3.11, 3/15/2001]

16.16.3.12 INCOMPLETE APPLICATIONS PURGED: Incomplete applications for licensure will be kept on file for two years from the date the first item of documentation was received and board staff created a file.

[N, 6/26/2000; 16.16.3.12 NMAC - Rn, 16 NMAC 16.3.12, 3/15/2001, A, 3/15/2004]

HISTORY of 16.16.3 NMAC:

Pre-NMAC History:

Material in the part was derived from that previously filed with the commission of public records - state records center and archives:

OEB 73-1, Rule No. 1 of the Administrative Rules and Regulations of the State Board of Examiners in Optometry, filed 10/18/1973.

NMBO Rule 1, Board Rule No. 1 - Requirements for Application, filed 3/1/1991.

NMBO Rule 1, Board Rule No. 1 - Requirements for Application, filed 7/22/1992.

NMBO Rule 1, Board Rule No. 1 - Requirements for Application, filed 5/25/1994.

History of Repealed Material: [RESERVED]

Other History:

16 NMAC 16.3, Requirements For Licensure By Examination, filed 9/21/1995 replaced that relevant portion of NMBO Rule 1, Board Rule No. 1 - Requirements for Application.

16 NMAC 16.3, Requirements For Licensure By Examination, filed 9/21/1995, renumbered and reformatted to 16.16.3 NMAC, Requirements For Licensure By Examination, effective 3/15/2001.